FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
1300 I Street, N.W.
Washington, D.C. 20005-3315
(202) 408-4000

Telex
RCA 248740 FHFGD

Facsimile
(202) 408-4400

FACSIMILE TRANSMITTAL

Subject: SN 08/529,767 Date: December 5, 1997
Our Ref: 04121.003-02000

TO

Name: Examiner Eggerton Campbell

Firm: U.S. PTO

Fax No.: (703) 305-7401

FROM

Name: M. Paul Barker

No. of Pages (inc. this page) 5

Attorney Approval

Message:

I hereby certify that the following documents are being filed, via facsimile, in the United States Patent and Trademark Office on December 5, 1997.

1. **Submission of PTO Form 1449**
2. **Form PTO-1449**

M. Paul Barker
Registration No. 32,013

December 5, 1997
Date

PATENT
Attorney Dock t No. 04121.0003-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sorge et al.

Serial No.: 08/529,767 — Group Art Unit: 1807

Filed: September 18, 1995 — Examiner: Eggerton Campbell

For: NOVEL POLYMERASE COMPOSITIONS AND USES THEREOF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SUBMISSION OF PTO FORM 1449

The present application claims the benefits under 35 U.S.C. § 120 of prior U.S. application Serial No. 08/197,791 (the '791 application), which is now U.S. Patent No. 5,556,772 (the '772 patent). Although the present application was named a divisional application of the '791 application when it was filed, it is actually a continuation application, since the presently pending claims are directed to the same group of claims as those in the '791 application, namely kits and methods of amplifying. In fact, applicants filed a terminal disclaimer in the present application in view of the '772 patent, and amended the first sentence of the specification on December 2, 1996, to reflect the continuation relationship.

Since the present application is a continuation application, under M.P.E.P. 609, applicants understand that Examiner Campbell has considered the information submitted in the '791 application (the '772 patent). Under M.P.E.P. 609, applicants

LAW OFFICES
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, D.C. 20005
202 408-4000

submit a PTO Form 1449 which cites the information of record in the '791 application, so that information will be printed on the face of the patent issuing from the present application. Since the Examiner has already considered this information, applicants request that the Examiner now initial the enclosed PTO form so that this information will be printed on the face of the patent.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

By: M Paul Barker

M. Paul Barker
Reg. No. 32,013

Dated: December 5, 1997

LAW OFFICES
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, D. C. 20005
202-408-4000

(Continued)

OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No.	04121.0003-02000	Serial No.	08/529,767
Applicant	SORGE et al.		
Filing Date	September 18, 1995	Group	1807

U.S. PATENT DOCUMENTS

Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation Yes or N

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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FHFP42

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Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
GC		5,436,149	07/25/95	Barnes	435	194	02/19/93

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		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
GC		WO 92/09689	06/11/92	PCT	—	—	
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Examiner	Eggerton A Campbell	Date Considered	4/21/98

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.